

CITY OF SAN DIEGO COUNCIL DOCKET



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David Alvarez • Eighth District

Andrea Tevlin
Independent
Budget Analyst

Jan Goldsmith
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Monday, September 21, 2015

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, SEPTEMBER 21, 2015, AT 2:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ITEM-200: Financial Training: Disclosure Responsibilities under the Federal Securities Laws.

ITEM DESCRIPTION:

This item provides financial training for the City Council. The training is entitled Disclosure Responsibilities under the Federal Securities Laws. It is an informational item and there is no associated City Council action.

INDEPENDENT BUDGET ANALYST'S RECOMMENDATION:

Proceed with the financial training for the City Council. Informational item only.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On December 6, 2006, the City Council adopted Resolution No. R-302243 to implement a comprehensive financial training program as recommended in IBA Report No. 06-59. Training on disclosure responsibilities under the Federal Securities Laws is one component of that program. This training was previously provided to the City Council in March 2007, March 2009, June 2011, and March 2013.

Kawar

Primary Contact\Phone: Jeff Kawar\619-533-4764

Secondary Contact\Phone: Andrea Tevlin\619-236-6555

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-201: Silver Street Village Homes, Project No. 393503. (La Jolla Community Plan Area. District 1.)

ITEM DESCRIPTION:

Approval of actions necessary for the demolition of two existing commercial structures and construction of eighteen (18) attached single family residential condominium units, located at 720 Silver Street and 7601 Draper Avenue in the La Jolla Community Plan Area.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-122)

Adoption of a Resolution certifying that the Mitigated Negative Declaration No. 393503 has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project;

Declaring that the City Council finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted;

Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, pursuant to CEQA Section 21081.6, which is attached hereto as Exhibit A;

Declaring that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the Office of the City Clerk, 202 C Street, San Diego, Ca 92101;

Directing the City Clerk to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

NOTE: This item is not subject to the Mayor's veto.

Subitem-B: (R-2016-123)

Adoption of a Resolution certifying findings with respect to Coastal Development Permit No. 1375775 and Site Development Permit No. 1387447, which are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting Coastal Development Permit No. 1375775 and Site Development Permit No. 1387447 to EHOFF La Jolla, LLC, a Delaware Limited Liability Company, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this Resolution.

NOTE: This item is not subject to the Mayor's veto.

Subitem-C: (R-2016-124)

Adoption of a Resolution certifying findings with respect to Vesting Tentative Map No. 1375776 and Easement Vacation No. 1400360, which are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference;

Vacating portions of the storm drain easement located within the project boundaries as shown in Vesting Tentative Map No. 1375776, contingent upon the recordation of the approved Final Map for the project, and that the findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference;

Granting Vesting Tentative Map No. 1375776 and Easement Vacation No. 1400360, based on the Findings hereinbefore adopted by the City Council, to EHOFF La Jolla, LLC, a Delaware Limited Liability Company, subject to the attached conditions which are made a part of this Resolution by this reference.

NOTE: This item is not subject to the Mayor's veto.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On July 1, 2015, the purchase and sale agreement for the adjacent, City-owned, non-dedicated park parcel was heard by the Smart Growth and Land Use Committee. On July 28, 2015, the City Council voted and approved, agenda Item No. 104, to execute and deliver a purchase and sale agreement for this adjacent, City-owned, non-dedicated park parcel.

Vacchi/Graham/jap

Primary Contact\Phone: Jeffrey A. Peterson\619-446-5237, MS 501

Secondary Contact\Phone: Mike Westlake\619-446-5220, MS 501

City Attorney Contact: Neuffer, Corrine

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Comment is taken toward the end of the Monday afternoon Council session.

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Closed Session Agenda. Public testimony on Closed Session items is taken in Open Session on Mondays, except when there is no Monday meeting. Public testimony on Closed Session items is always taken prior to the actual Closed Session. Closed Session may take place any time after public testimony, but is typically held on Tuesdays at 9:00 a.m. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

NOTE: Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the Closed Session item number from the Closed Session Docket on the speaker slip. Speakers may speak "in favor" or "in opposition" to the subject.

Information Item - No Action Required - The City Council shall:

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Allow for questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in Closed Session; 4) Refer matters discussed to Closed Session.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: Submission of Ballot Proposals for the June 7, 2016 Ballot.

**SUBMISSION OF BALLOT PROPOSALS
FOR THE JUNE 7, 2016 BALLOT**

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket, prior to the election, the ballot proposals which have been referred to Council following Committee review.

Therefore, the City Clerk has established the following administrative guidelines for the June 7, 2016, election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Tuesday	1/5/16	154	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	1/13/16	146	Committee review
Monday	1/25/16	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Committee
Monday	2/1/16	127	Council to discuss propositions and direct City Attorney to prepare ordinances placing measures on the ballot
Monday	2/22/16	106	Council adopts ordinances prepared by City Attorney
Friday	3/11/16	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	3/24/16	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4000.

This calendar is a draft and will not be final until the 2016 Legislative Calendar is approved by Council.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT